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PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/642,365
	Filing Date	August 14, 2003
	First Named Inventor	Michael S. H. Chu
	Art Unit	3731
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	MIY-P03-024

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1. IDS Form SB/08 (7 pages)
<input checked="" type="checkbox"/> Information Disclosure Statement (3 pages)	<input type="checkbox"/> CD, Number of CD(s) _____	2. References A1-A188, B1-B28 and C1-C41
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	3. Copy of the International Search Report (11 page)
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		4. Return Receipt Postcard
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	ROPES & GRAY LLP Weishi Li - 53,217
Signature	
Date	November 18, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: 11-18-04	Signature: (Maura A. Gallagher)

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Dated: 11-18-04

Signature:

Maura A. Gallagher
(Maura A. Gallagher)

Docket No.: MIY-P03-024
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Chu et al.

Application No.: 10/642,365

Confirmation No.: 1647

Filed: August 14, 2003

Art Unit: 3731

For: SYSTEMS, METHODS AND DEVICES
RELATING TO DELIVERY OF MEDICAL
IMPLANTS

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of the non US references listed on the PTO/SB/08 is attached. A summary/abstract translation of the non-English language references is enclosed where applicable.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this

Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is “prior art” for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Applicants call the Examiner’s attention to office actions which may have issued in the following co-pending, co-owned patent applications of which subject matters are related to that of the instant application:

U.S. Patent Application Serial Number	Filing Date
10/093,371	March 7, 2002
10/093,398	March 7, 2002
10/093,424	March 7, 2002
10/093,450	March 7, 2002
10/093,498	March 7, 2002
10/094,354	March 7, 2002
10/642,395	August 14, 2003
10/642,397	August 14, 2003
10/641,487	August 14, 2003

Applicants have become aware of the following documents: U.S. Patent No. 6,312,448; U.S. Patent No. 5,904,692; WO 00/74594; EP 1159920; and U.S. Patent No. 5,899,909, cited in

an International Search Report issued August 20, 2004, during the prosecution of international application no. PCT/US03/25568, which corresponds to the above referenced application, and in accordance with 37 CFR 1.97(c) and (e)(1) or (b)(3), hereby submits these documents for the Examiner's consideration. These documents are cited on the enclosed PTO Form SB/08, and a copy of the International Search Report and each document cited thereon are enclosed as well.


This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that such document is prior art. Moreover, Applicant(s) understand(s) the Examiner will make an independent evaluation of the cited documents.

The undersigned hereby certifies that each item contained in this Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. MIY-P03-024.

Dated: November 18, 2004

Respectfully submitted,

By 
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Attorneys/Agents For Applicant



PTO/SB/08a/b (08-03)

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/642,365	
			Filing Date	August 14, 2003	
			First Named Inventor	Michael S. H. Chu	
			Art Unit	N/A	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	7	Attorney Docket Number	MIY-P03-024

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1	D466213 S	11/26/02	Snitkin et al.	
	A2	2,738,790	3/20/56	Todt Sr., et al.	
	A3	2,751,903	6/26/56	Ivory et al.	
	A4	2,917,878	12/22/59	Edwin et al.	
	A5	3,472,232	10/14/69	Earl et al.	
	A6	3,565,073	2/23/71	Giesy	
	A7	3,699,969	10/24/72	Allen	
	A8	3,704,712	11/28/72	Giesy et al.	
	A9	3,710,795	1/16/73	Higuchi et al.	
	A10	3,763,860	10/9/73	Clarke	
	A11	3,875,937	4/8/75	Schmitt et al.	
	A12	3,877,434	4/15/75	Ferguson et al.	
	A13	3,937,223	2/10/76	Roth	
	A14	3,995,619	12/7/76	Glatzer	
	A15	4,172,458	10/30/79	Pereyra	
	A16	4,363,319	12/14/82	Altshuler	
	A17	4,367,816	1/11/83	Wilkes	
	A18	4,422,567	12/27/83	Haynes	
	A19	4,445,898	5/1/84	Jensen	
	A20	4,535,768	8/20/85	Hourahane et al.	
	A21	4,592,339	6/3/86	Kuzmak et al.	
	A22	4,606,335	8/19/86	Wedeen	
	A23	4,739,751	4/26/88	Sapega et al.	
	A24	4,741,330	5/3/88	Hayhurst	
	A25	4,744,353	5/17/88	McFarland	
	A26	4,776,337	10/11/88	Palmaz	
	A27	4,784,137	11/15/88	Kulik et al.	
	A28	4,784,138	11/15/88	Sinnett	
	A29	4,798,193	1/17/89	Giesy et al.	
	A30	4,824,435	4/25/89	Giesy et al.	
	A31	4,872,451	10/10/89	Moore et al.	
	A32	4,873,977	10/17/89	Avant et al.	
	A33	4,874,375	10/17/89	Ellison	
	A34	4,896,668	1/30/90	Popoff et al.	
	A35	4,920,958	5/1/90	Walt et al.	
	A36	4,927,420	5/22/90	Newkirk et al.	
	A37	4,938,760	7/3/90	Burton et al.	
	A38	4,946,468	8/7/90	Li	
	A39	4,983,168	1/8/91	Moorehead	
	A40	4,988,339	1/29/91	Vadher	
	A41	5,002,550	3/26/91	Li	
	A42	5,013,292	5/7/91	Lemay	
	A43	5,064,435	11/12/91	Porter	
	A44	5,078,730	1/7/92	Li	
	A45	5,084,058	1/28/92	Li	
	A46	5,085,661	2/4/94	Moss	

Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/642,365
				Filing Date	August 14, 2003
				First Named Inventor	Michael S. H. Chu
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	7	Attorney Docket Number	MIY-P03-024

A47	5,087,263	2/11/92	Li	
A48	5,089,013	2/18/92	Bezwada et al.	
A49	5,112,344	5/12/92	Petros	
A50	5,133,723	7/28/92	Li et al.	
A51	5,149,329	9/22/92	Richardson	
A52	5,152,749	10/6/92	Giesy et al.	
A53	5,163,946	11/17/92	Li	
A54	5,167,634	12/1/92	Corrigan Jr. et al.	
A55	5,188,636	2/23/93	Fedotov	
A56	5,203,784	4/20/93	Ross et al.	
A57	5,207,679	5/4/93	Li	
A58	5,222,508	6/29/93	Contarini	
A59	5,234,457	8/10/93	Andersen	
A60	5,250,033	10/5/93	Evans	
A61	5,256,133	10/26/93	Spitz	
A62	5,279,311	1/18/94	Snyder	
A63	5,281,237	1/25/94	Gimpelson	
A64	5,282,812	2/1/94	Suarez Jr.	
A65	5,334,185	8/2/94	Giesy et al.	
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A67	5,354,292	10/11/94	Braeuer et al.	
A68	5,368,595	11/29/94	Lewis	
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A70	5,417,226	5/23/95	Juma	
A71	5,431,173	7/11/95	Chin et al.	
A72	5,439,467	8/8/95	Benderev et al.	
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A83	5,624,446	4/29/97	Harryman II	
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A86	5,645,589	7/8/97	Li	
A87	5,647,857	7/25/97	Anderson et al.	
A88	5,683,418	11/4/97	Luscombe et al.	
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A95	5,749,884	5/12/98	Benderev et al.	
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Examiner Signature		Date Considered	
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				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	3	of	7	Attorney Docket Number	MIY-P03-024

A97	5,776,184	7/7/98	Tuch	
A98	5,813,408	9/29/98	Benderev et al.	
A99	5,816,258	10/6/98	Jervis	
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A107	5,935,122	8/10/99	Fourkas et al.	
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A109	5,997,541	12/7/99	Schenk	
A110	6,001,104	12/14/99	Benderev et al.	
A111	6,039,686	3/21/00	Kovac	
A112	6,042,534	3/28/00	Gellman et al.	
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A121	6,117,067	9/12/99	Gil-Vernet	
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A125	6,273,852	8/14/01	Lehe et al.	
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A132	6,423,080	7/23/02	Gellman et al.	
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A136	6,491,703	12/10/02	Ulmsten	
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A141	6,605,097	8/12/03	Lehe et al.	
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A143	6,638,209	10/28/03	Landgrebe	
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A145	6,638,211	10/28/03	Suslian et al.	
A146	6,641,525	11/4/03	Rocheleau et al.	

Examiner Signature		Date Considered	
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Sheet	4	of	7	Attorney Docket Number	MIY-P03-024

A147	6,648,921	11/18/03	Anderson et al.	
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A155	2002/0022841	2/21/02	Kovac	
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A159	2002/0077526	6/20/02	Kammerer et al.	
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A161	2002/0091298	7/11/02	Landgrebe	
A162	2002/0091373	7/11/02	Berger	
A163	2002/0099258	7/25/02	Staskin et al.	
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A174	2002/0165566	11/7/02	Ulmsten	
A175	2002/0188169	12/12/02	Kammerer et al.	
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A177	2003/0004580	1/2/03	Sump et al.	
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A180	2003/0036676	2/20/03	Scetbon	
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A187	2003/0191480	10/9/03	Ulmsten	
A188	2004/0015048	1/22/04	Neisz et al.	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)					
	B1	DE 2,305,815 A1		8/8/74			
	B2	DE 2,532,242 A1		2/10/77			
Examiner Signature					Date Considered		

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				Art Unit	N/A
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Sheet	5	of	7	Attorney Docket Number	MIY-P03-024

	B3	DE 43 34 419 A1	4/13/95	Univ. Ludwigs Albert		
	B4	EP 0 417 189 B1	10/15/97	Boston Scientific Ireland Limited		
	B5	EP 0 506 920 B1	4/9/97	Salama		
	B6	EP 0 628 288 B1	4/5/00	Vidamed, Inc.		
	B7	EP 0 831 751 B1	11/6/02	Bogojavlensky et al.		
	B8	EP 1 159 920 A2	12/5/01	United States Surgical Corp.		
	B9	EP 1 321 111 A2	6/25/03	Conticare, Inc.		
	B10	EP 0 140 557 A3	5/8/85	Blackwood		
	B11	EP 0,437,063 A2	7/17/91	Vance Products		
	B12	EP 0,437,063 A3	7/17/91	Vance Products		
	B13	EP 0 599 772 A1	6/1/94	Technion Research and Development Foundation Ltd.		
	B14	FR 1,539,593	9/13/68	Johnson		
	B15	FR 2,739,016	3/28/97	Comte Georges		
	B16	GB 2,268,690	1/19/94	Lopez		
	B17	SE 503 271	3/1/96	Medscand AB		
	B18	SE 506 164	4/10/97	Medscand Medical AB		
	B19	SU 1,225,547	4/23/86	N.V. Sklifosovskii Moscow Scientific Research Institute of First Aid		
	B20	SU 1,443,873 A1	7/26/89	Kiev State Institute for Further Education of Physicians		
	B21	WO 00/74594	12/14/00	Ethicon, Inc.		
	B22	WO 93/10715	6/10/93	Vesitec Medical Inc.		
	B23	WO 93/19678	10/14/93	Vesitec Medical Inc.		
	B24	WO 96/01597	1/25/96	Dacomed Corporation		
	B25	WO 96/34587	11/7/96	Uramed Corporation		
	B26	WO 96/39227	12/12/96	Urology Inc.		
	B27	WO 97/13465	4/17/97	Medscand Medical		
	B28	WO 98/12971	4/2/98	Medworks Corporation		

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/642,365
				Filing Date	August 14, 2003
				First Named Inventor	Michael S. H. Chu
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	6	of	7	Attorney Docket Number	MIY-P03-024

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	C1	Bayer et al., "A New Approach To Primary Strengthening Of Colostomy With Marlex Mesh To Prevent Paracolostomy Hernia," Surgery, Gynecology & Obstetrics, 163:579-580, (1986).		
	C2	Benderev, "A New Endoscopic Bladder Neck Suspension For The Outpatient Treatment Of Stress Urinary Incontinence," J. Urology, 149:197a (1993).		
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	C17	Petros et al., "Urethral Pressure Increase on Effort Originates From Within The Urethra, and Continence From Musculovaginal Closure," Neurology and Urodynamics, 14:4, 337-350 (1995).		
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C21	Petros, P., "An Integral Theory of Bladder Neck Opening, Closure and Urinary Incontinence in the Female," International Journal of Gynecology & Obstetrics, XXIII World Congress of Gynecology and Obstetrics (Figo) (1991).	
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C25	Raz, "Modified Bladder Neck Suspension for Female Stress Incontinence," Urology, 17:1, 82-85 (1981).	
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C35	Ulmsten et al., "A Three-Year Follow Up of Tension Free Vaginal Tape for Surgical Treatment of Female Stress Urinary Incontinence," British J. Of Obstetrics And Gyn., 106, 345-350, (1999).	
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C38	Ulmsten et al., "Connective Tissue Factors in the Aetiocolgy of Female Pelvic Disorders," Ann. Med., 22:6, 3 (1990).	
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